



REPORT TO: Committee of Adjustment

FROM: Jamie Hoefling, Junior Planner

DATE: March 4th, 2019

SUBJECT: MV-2019-A002 (Bellmere Holdings Inc./Rose)
1235 Villiers Line - Concession 2, Part Lot 14, Otonabee
10 Mulligan Lane
Property Roll No. 15-06-010-001-03601

RECOMMENDATION:

That Minor Variance Application MV-2019-A002 for 10 Mulligan Lane (in Bellmere Winds Resort) be approved as requested, as follows:

- (1) To reduce the setback between a park model trailer and a park model trailer on an adjacent park model trailer site, as per 14.8.12 (b)(vi), from 6 metres to 5.4 metres.

Draft Notice of Decision has been provided to the Committee.

BACKGROUND AND PURPOSE OF APPLICATION

Bellmere Winds Resort is currently building out Phase 2 part of their park model trailer sites. The subject site related to this application is known within the park as 10 Mulligan Lane. There are no 'fixed' sites when it comes to the layout or siting of the park model units. The park model units are sold and sited at the time of a purchase and owners decide where they would like their unit and what size of unit they would like to purchase. As units are not being placed in a sequential order, it is difficult for Bellmere staff to predict what will occur on either side of a unit in terms of the sizing. This results in some units having to be relocated or shuffled to ensure the 6 metre setback between units is met.

When it comes to 10 Mulligan Lane, the units on either side of the subject site (12 Mulligan Lane to the west and 8 Mulligan Lane to the east) have already been built on and are well established with decks and landscaping. When choosing the narrowest park model unit available (12 feet wide), the unit is not able to meet the 6 metre setback between park model trailers that is required in the Township's Zoning By-law. It would be difficult and costly in this instance to move the established trailers in order to meet the setback.

Therefore, the purpose of this minor variance application is to permit a park model trailer to be located between two existing and developed park model trailer sites with reduced setbacks of 5.4 m instead of the required 6m.



According to the application, this will be the only minor variance request for Phase 2 as all other trailers have been moved to ensure the setback is met and more diligent planning will occur as the sites are sold and developed.

NOW ON SALE!

Bellmere Winds RESORT
A Great Blue RESORT

Subject Lands of Minor Variance Application- Sites impacted are 8, 10 and 12 Mulligan Lane.

PLANNING REVIEW

Section 45 of the Planning Act sets out certain tests that must be satisfied in order to support a minor variance application. These are as follows:

1. Does the application maintain the general intent and purpose of the Official Plan:

The property is designated as Shoreline (5.4) and Recreation Conservation (5.10) in the Township Official Plan. The area subject to the minor variance application is located within the Shoreline



designation only. Section 5.4.2(a) permits Commercial Uses and Development within the Shoreline designation and specifically lists resort complexes and trailer camps as permitted uses, both of which permit park model trailers for seasonal use.

Township staff believe this application maintains the general intent and purpose of the Official Plan.

2. Does the application maintain the general intent and purpose of the Zoning By-law?

The property is zoned Tourist Commercial-12 (TC-12) and Open Space-7 (OS-7) in By-law No. 2010-65. The area subject to the minor variance application is entirely within the TC-12 zone.

Section 14.8 of the By-law contains the “Special Tourist Commercial Zones” where the regulations for the TC-12 zone are located and a park model trailer within a resort complex is a permitted use. Within the TC-12 zone, park model trailers are required to be set back 6 metres from a park model trailer on an adjacent site (14.8.12 (b)(vi)). The applicant is requesting that the 6 metre setback be reduced to 5.4 metres on either side of the proposed unit for 10 Mulligan Lane.

Setbacks are typically required to provide adequate separation between units on adjacent sites for safety, privacy, enjoyment of property and to prevent overcrowding. The proposed setback between trailers is still considered safe when the principles of the Building Code regarding adequate spacing between buildings and structures are applied. The application would not permit an increase to the number of units that can go into Phase 2 as that number is capped at 251 units. Only three units would experience the reduced setback so the function and use of the entire park is not compromised.

Township staff are satisfied that this application meets the general intent and purpose of the Zoning By-law and makes note that the application states this will be the only variance request for Phase 2.

3. Is the proposed amendment desirable for the development or use of the land?

The proposed unit will meet the required setback from the internal road (4.5m) and backs onto the golf course so there is no over-crowding or concentration of units in this location. A site visit was conducted to confirm that any proposed amendment would not negatively impact development in this particular location. Due the hardship that could occur by having to relocate all of the trailers along Mulligan Lane, it would be desirable for the development and use of land in this scenario.

4. Is the proposed variance minor in nature?

The requested variance is minor in nature. By reducing the required setback from 6 metres to 5.4 metres, the unit would be 60 cm or less away from the adjacent unit than what is required in the Zoning By-law.



SUMMARY

It is the opinion of the Junior Planner and Director of Building and Planning that this application meets the four tests of a minor variance and are recommending that the application be approved without conditions.

BUDGET IMPLICATIONS:

The application fee associated with this site-specific minor variance is \$1000 under the Tariff of Fees (with pre-consultation) which has been paid.

PUBLIC CONSULTATION & NOTICE

Notice of the application and Public Hearing has been circulated to property owners within 60 metres of the subject property. Residents have the right to speak in favour or opposition of the application at the Public Hearing or by making a written statement to the Township prior to the decision of the Committee of Adjustment. Notice was also provided to required agencies in accordance with the *Planning Act*.

This report will be posted on the Township website along with the Notice of Hearing for further information to the Public.

Submitted By: Jamie Hoefling, Junior Planner

In consultation with Barbara Waldron, Director of Building and Planning, CBO